

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ELSMERE PARK CLUB, L.P., a)
Delaware limited partnership,)
)
Plaintiff,)
) District Court Docket
v.) Civil Action No. 04-1321 (SLR)
)
TOWN OF ELSMERE, a Delaware) The Honorable Sue L. Robinson
Municipal corporation,)
ELLIS BLOMQUIST, EUGENE BONEKER,)
and JOHN GILES,) Jury Trial Demanded
)
<u>Defendants.</u>)

NOTICE OF APPEAL

Notice is hereby given that Elsmere Park Club, L.P., plaintiff in the above-captioned case, hereby appeals to the United States Court of Appeals for the Third Circuit from the final judgment entered in this action on February 23, 2007, and the Memorandum Opinion and Order dated February 21, 2007 granting defendants' motion for summary judgment.

Respectfully submitted,

KLEHR, HARRISON, HARVEY,
BRANZBURG & ELLERS LLP

Dated: March 16, 2007



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CERTIFICATE OF SERVICE

I, David S. Eagle hereby certify that on March 16, 2007, I electronically filed a Notice of Appeal with the Clerk of Court using CM/ECF, which will send a electronic notification of such filing to the following:

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